

CITY COUNCIL, CITY OF LODI  
CITY HALL COUNCIL CHAMBERS  
JUNE 2, 1971

A regular meeting of the City Council of the City of Lodi was held beginning at 8:00 p.m. on Wednesday, June 2, 1971 in the City Hall Council Chambers.

ROLL CALL

Present: Councilmen - EHRHARDT, HUGHES,  
KIRSTEN, SCHAFFER  
and KATNICH (Mayor)

Absent: Councilmen - None

Also present: City Manager Graves, Assistant City Manager Peterson, City Attorney Mullen, Planning Director Schroeder and Public Works Director Jones.

PLEDGE

Mayor Katnich led the Pledge of Allegiance to the flag.

MINUTES

On motion of Councilman Schaffer, Ehrhardt second, the Minutes of May 19, 1971 were approved as written and mailed after correcting the second paragraph under the heading "Report on Drug Abuse Council" on page 4 to read as follows: "Mr. Trevor Pendray, Coordinator for the Drug Abuse Council, reported that the Coop group, consisting of various groups throughout the community had recently voted to join themselves with the Drug Abuse Council and this group will have a representative attending the meetings of the Drug Abuse Council."

Councilman Kirsten requested the spelling of a name be corrected from "Mrs. Evelyn Roemmich" to "Mrs. Evenyl Roemmich" in the Minutes of May 5, 1971.

WELCOME  
ADMIN. ASST.

Mayor Katnich welcomed recently appointed Administrative Assistant William Hinkle to the City of Lodi and to the City's staff.

PRESENTATION

Mr. Robert Ure of the State Compensation Insurance Fund presented the Mayor with two dividend checks totaling \$27,058 and congratulated the City on its safety record.

PUBLIC HEARINGS

PREZONE  
RIVERGATE-  
MOKELUMNE  
SUBD.

Notice thereof having been published in accordance with law, Mayor Katnich called for the public hearing on the recommendation of the Planning Commission for the prezoning of the Rivergate-Mokelumne Subdivision to the R-1 and P-D(5) Districts. Planning Director Schroeder introduced the matter, showing a sketch of the area proposed for prezoning.

ORD. NO. 953  
INTRODUCED

Minutes of June 2, 1971 continued

Attorney Tom Brewer of Daley, Brewer, Patridge and Garrett, Attorneys at Law, 1209 North El Dorado Street, Stockton, representing the Lodi Rivergate, Inc., spoke on behalf of the request. Mr. Brewer said he was pleased with the proposed rezoning but would like the entire lagoon area included in the R-1 District. Planning Director Schroeder stated this would present no problem and the Council agreed to include the lagoon area as requested by Mr. Brewer.

There being no other persons in the audience wishing to speak on the matter, the public portion of the hearing was closed.

On motion of Councilman Schaffer, Ehrhardt second, the Council introduced Ordinance No. 953 rezoning the Rivergate-Mokelumne Subdivision as follows:

- (1) Lots 1 through 5 and the area devoted to lagoons, as shown on the Tentative Map of the Rivergate-Mokelumne Subdivision dated April 1, 1971 as prepared by Meyer and Baumbach, Civil Engineers, rezoned to the R-1 District; and
- (2) the remainder of the area encompassed by the Rivergate-Mokelumne Subdivision is rezoned to the P-D(5) District with certain conditions.

RENAME  
W. LANE  
W/IN CITY  
LIMITS

RES. NO. 3513

Notice thereof having been published in accordance with law, the Mayor called for the public hearing on the recommendation of the Planning Commission that West Lane within the City limits be renamed "South Hutchins Street." There being no persons in the audience wishing to speak on the matter, the public portion of the hearing was closed. On motion of Councilman Ehrhardt, Schaffer second, the Council adopted Resolution No. 3513 renaming West Lane "South Hutchins Street" within the City limits of Lodi, as said City limits now exist or may hereafter be extended.

J. CAPOBIANCO -  
DRUG ABUSE

Mr. Joe Capobianco, 458 West Sargent Road, Lodi, reported on the activities of the drug abuse group called "People in Christ."

#### PLANNING COMMISSION

The City Manager gave the following report of the Planning Commission meeting of May 24, 1971:

SPECIFIC PLAN -  
CALAVERAS ST.

The Planning Commission recommended the adoption of a Specific Plan for the future development of Calaveras Street between East Lockeford Street and Murray Streets. On motion of Councilman Schaffer, Kirsten second, the matter was set for public hearing on June 16, 1971.

Minutes of June 2, 1971 continued

#### ACTIONS OF INTEREST

The Planning Commission also took the following actions of interest to the City Council:

1. Approved the request of U.S.A. Gasoline (U-Save Automatic) for a Use Permit to construct a self-service automobile service station as Phase IV of the Westgate Shopping Center at the southwest corner of Lower Sacramento Road and West Lodi Avenue in an area zoned C-S.
2. Approved the request of the Fairmont Seventh-Day Adventist Church for a Variance to increase the maximum permitted institutional sign area from twenty (20) square feet to forty-four (44) square feet to allow a church identification sign to remain after May 31, 1973 at 730 South Fairmont Avenue in an area zoned C-P.
3. Approved the request of Mr. Sam Fischer for a Variance to reduce the required interior side yard from five feet to zero feet to permit a carport erected in 1954 to remain at 462 Valley Avenue in an area zoned R-2.
4. Approved the request of Atlantic-Richfield Company for a Use Permit to reconstruct an existing automobile service station at the northwest corner of East Lodi Avenue and South Cherokee Lane in an area zoned C-2.
5. Recommended that the San Joaquin County Board of Zoning Adjustment deny the request of Mr. John Capell for a Use Permit to construct a retirement complex of 60 one-bedroom units on the south side of Cochran Road between 1120 feet and 1770 feet east of Lower Sacramento Road in an area zoned I-PA.
6. Recommended that the San Joaquin County Board of Zoning Adjustment deny the request of Mr. Tino Sherman for a Use Permit to erect a 2,000 square-foot electrical storage building and shop on the north side of Cochran Road, 210 feet west of Willow Avenue in an area zoned I-PA.

#### COMMUNICATIONS

##### LODI LAKE BOATING FEES

A letter was received from R. Robles, 2428 Totten, Stockton, suggesting the City of Lodi issue a receipt to customers for fees paid for boating facilities at the Lodi Lake. The City Manager said the City's present procedure would be reviewed and changes would be made if deemed necessary.

## Minutes of June 2, 1971 continued

LODI  
KIWANIS  
CLUB

A letter was received from Jack L. Ronsko, Vice President of the Lodi Kiwanis Club, expressing appreciation to the Lodi Police Department and Officer Larry Moore for a program on drug abuse which Officer Moore presented to the Club.

ANNEX LODI  
RIVERGATE ADDN  
  
RES. NO. 3514

A petition was received from all of the owners of the land proposed to be annexed to the City as the "Lodi Rivergate Addition." Said annexation was approved by the Local Agency Formation Commission of San Joaquin County on February 19, 1971. The Local Agency Formation Commission also granted the City power to waive notice and hearing on the proposed annexation pursuant to the provisions of Section 54797.1 of the Government Code. On motion of Councilman Schaffer, Kirsten second, the Council unanimously adopted Resolution No. 3514 approving the annexation of the "Lodi Rivergate Addition" to the City.

## REPORTS OF THE CITY MANAGER

## CLAIMS

Claims in the amount of \$291,318.74 were approved on motion of Councilman Ehrhardt, Kirsten second.

ACCEPT  
LOCKEFORD ST.  
STORM DRAIN

On motion of Councilman Schaffer, Hughes second, the Council accepted the Lockeford Street Storm Drain - School Street to Sacramento Street as complete and authorized the Public Works Director to file a Notice of Completion on the project.

PLANS & SPECS -  
SIDEWALK REPAIRS

Plans and specifications were presented for sidewalk repairs at Emerson and Hale Parks. On motion of Councilman Hughes, Schaffer second, the Council approved the plans and specifications and authorized advertising for bids thereon.

ASSIGNMENT OF  
TOPIC FUNDS

## RES. NO. 3515

City Manager Graves explained that approximately \$34,000 had been assigned to the City of Lodi for appropriation under the TOPICS program. The criteria for receiving these funds is complicated and the City is not prepared with the necessary studies to submit an eligible program. In San Joaquin County only the County and the City of Stockton are eligible for the fund. The rules provide that if a city cannot qualify for the funds, it can assign the funds to another jurisdiction that does qualify. The City Manager explained that the County would be unable to propose a program which would use the funds because of the time element, and therefore recommended the City Council adopt a resolution assigning the City of Lodi's funds to the City of Stockton.

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The Councilmen asked questions concerning the TOPICS Program and Public Works Director Shelley Jones discussed the program. The Council requested that material pertaining to the TOPICS Program be furnished to them for their review. Councilman Kirsten then moved adoption of Resolution No. 3515 requesting the Department of Public Works of the State of California to transfer certain apportioned TOPICS funds from the City of Lodi to the City of Stockton. The motion was seconded by Councilman Schaffer and carried by unanimous vote.

ABANDONED  
AUTO ORD.

ORD. NO. 954  
INTRODUCED

On motion of Councilman Schaffer, Kirsten second, the City Council introduced Ordinance No. 954 repealing Ordinance No. 911 and Chapter 14, Article VI of the Code of the City of Lodi and enacting a new Chapter 14, Article VI providing for the abatement and removal as public nuisances of abandoned, wrecked, dismantled or inoperative vehicles or parts thereof from private property or public property not including highways, and recovery of costs of administration thereof as authorized by Section 22660 of the Vehicle Code.

LAND CONSER-  
VATION CONTRACTS  
OPPOSED

Two letters were received from the San Joaquin County Board of Supervisors stating intent to enter California Land Conservation Contracts which would include land within one mile of the exterior boundaries of the City of Lodi. The City Manager recommended the Council protest the contracts. Councilman Hughes moved the Council protest the execution of the above contracts. The motion was seconded by Councilman Schaffer and carried by unanimous vote.

NCPA STUDIES  
APPROVED

City Manager Graves reported that Northern California Power Agency had authorized two power studies to be made by U.S. Bureau of Reclamation and R. W. Beck and Associates totaling approximately \$34,000, subject to approval by the City Councils of the member cities. The City Manager recommended the Council give its approval to the proposed studies.

On motion of Councilman Kirsten, Hughes second, the Council approved the use of NCPA Advance Planning Funds for the two studies and authorized payment by the City of Lodi of its fair share of the costs of said studies.

PARKING  
METER  
VIOLATIONS

ORD. NO. 955  
INTRODUCED

On motion of Councilman Kirsten, Ehrhardt second, the City Council introduced Ordinance No. 955 amending Chapter 14, Section 14-84 of the Code of the City of Lodi regarding enforcement of parking meter violations. Ordinance No. 955 provides that civilian employees

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of the City, when designated by the Chief of Police, may enforce the provisions of Chapter 14 of the Code.

CITY CAR  
DEMOLISHED

The City Manager reported that City car Number 37 had recently been involved in an accident and demolished. He explained that since it was too late to order another car under the City's present order, one 1966 Chevy II would not be traded in but would be retained to replace Car Number 37 for the balance of the year. At the time vehicles are again purchased, an additional unit would then be purchased to replace this car.

APPRECIATION -  
HUMBLE OIL

The City Manager read a letter received from Mr. A. D. Young, Jr., Operations Manager of Humble Oil and Refining Company, expressing the Company's appreciation for the outstanding performance of the Lodi Fire Department in combating the fire on the property of Humble Oil Company on North Cherokee Lane on May 23, 1971. The City Manager and Mayor Katnich also expressed their appreciation for the fine efforts of the Fire Department in combating this fire.

REVIEW OF  
LEGISLATION

City Manager Graves discussed the following pending Assembly and Senate Bills:

SB 349 pertaining to the Public Employees' Retirement System; AB 1617 authorizing cities and counties to levy a 5% tax on alcoholic beverages sold in bars or restaurants; AB 2548 providing for increasing the on-sale and off-sale general liquor license fees; SB 1383 providing for additional salaries for policemen; and AB 515 providing for establishment of environmental planning council in and for regions established by State Council on Inter-governmental Relations.

ORDINANCES

AMEND  
TRESPASS  
ORDINANCE

ORD. NO. 951  
ADOPTED

ORDINANCE NO. 951 entitled, "AN ORDINANCE AMENDING ORDINANCE NO. 941 OF THE CITY OF LODI BY MAKING A VIOLATION OF SAID ORDINANCE AN INFRACTION," having been introduced at a regular meeting on May 19, 1971, was brought up for passage on motion of Councilman Kirsten, Ehrhardt second. Second reading was omitted after reading by title, and the ordinance was then passed, adopted and ordered to print by the following vote:

Ayes: Councilmen - Ehrhardt, Hughes, Kirsten,  
Schaffer and Katnich

Noes: Councilmen - None

Absent: Councilmen - None

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EMERGENCY  
SERVICES  
COUNCIL

ORD. NO. 952  
ADOPTED

ORDINANCE NO. 952 entitled, "AN ORDINANCE ESTABLISHING AND REGULATING THE CITY OF LODI EMERGENCY SERVICES COUNCIL AND REPEALING ORDINANCE NO. 642," was brought up for passage on motion of Councilman Schaffer, Hughes second. Second reading was omitted after reading by title, and the ordinance was then passed, adopted and ordered to print by the following vote:

Ayes: Councilmen - Ehrhardt, Hughes, Kirsten Schaffer and Katnich

Noes: Councilmen - None

Absent: Councilmen - None

DRUG  
ABUSE  
COUNCIL

Councilman Ehrhardt, the Council's representative to the Drug Abuse Council, reported the Drug Abuse Council would be meeting soon to review its goals and purposes. Also, efforts are being made to determine if Federal funding might be available to the Council.

EXECUTIVE  
SESSION

The Council adjourned to executive session at approximately 9:35 p.m. to discuss personnel matters.

ADJOURNMENT

There being no further business, the meeting was adjourned at approximately 10:35 p.m.



Attest: BESSIE L. BENNETT  
City Clerk